

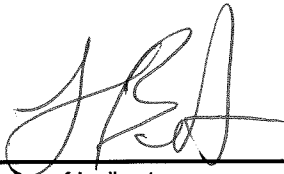
**APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER**

Secretary of State  
1700 W. Washington Street, 7th Floor  
Phoenix, AZ 85007

The undersigned intends to circulate and file an INITIATIVE or a REFERENDUM (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the MEASURE or CONSTITUTIONAL AMENDMENT (circle appropriate word) intended to be INITIATED or REFERRED (circle appropriate word) at the next general election.

**SUMMARY:** A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

Protect your freedom and preserve the government's checks & balances by allowing Arizona to reject federal actions that violate the United States Constitution.



Signature of Applicant

Jack Biltis

Printed Name of Applicant

20815 N Cave Creek Rd

Address

Phoenix, AZ 85024

City

State

Zip

623-414-4900

Telephone Number

**Checks And Balances In Government**

Name of Organization (if any)

20815 N Cave Creek Rd

Address

Phoenix, AZ 85024

City

State

Zip

623-414-4900

Telephone Number

Jack Biltis

Name of Officer and Title

20815 N Cave Creek Rd

Address

Phoenix, AZ 85024

City

State

Zip

623-414-4900

Telephone Number

Wendy Stanley, Treasurer

Name of Officer and Title

20815 N. Cave Creek Rd

Address

Phoenix, AZ 85024

City

State

Zip

623-414-4900

Telephone Number

Date of Application

MARCH 30, 2012

Signatures Required

259, 2163

Deadline for Filing

JULY 5, 2012

Serial Number Issued

C-04-2019

FOR OFFICE USE ONLY

Revised 11/92

CF # 201200436

ngm

SG

## **OFFICIAL TITLE**

RECEIVED  
SECRETARY OF STATE

AN INITIATIVE CONSTITUTIONAL AMENDMENT 2012 MAR 30 PM 12:40

### **CHECKS & BALANCES IN GOVERNMENT ACT**

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE II, CONSTITUTION OF ARIZONA, BY AMENDING SECTION 3; THE CONSTITUTION OF THE UNITED STATES IS THE SUPREME LAW OF THE LAND AND MAY NOT BE VIOLATED BY THE FEDERAL, STATE, OR ANY LOCAL GOVERNMENT. TO PROTECT THEIR FREEDOMS AND PRESERVE THE CHECKS AND BALANCES OF THE UNITED STATES CONSTITUTION, THE PEOPLE OF ARIZONA SHALL BE EMPOWERED TO REJECT ANY FEDERAL ACTION THAT THEY DETERMINE VIOLATES THE UNITED STATES CONSTITUTION. IN ADDITION TO ALL OTHER AVAILABLE LEGAL REMEDIES, THEY MAY DO SO BY 1) MAJORITY VOTE IN AN INITIATIVE OR REFERENDUM, OR 2) MAJORITY VOTE OF THEIR REPRESENTATIVES IN BOTH HOUSES OF THE LEGISLATURE WITH THE SIGNATURE OF THE GOVERNOR.

### **TEXT OF PROPOSED AMENDMENT**

Be it enacted by the People of the State of Arizona:

The Constitution of Arizona is proposed to be amended as follows if approved by a majority of the votes cast thereon and on proclamation of the Governor.

Section 1. Article II, Constitution of Arizona, is amended in Section 3 as follows:

#### **Section 3. Supreme law of the land**

The Constitution of the United States is the supreme law of the land AND MAY NOT BE VIOLATED BY THE FEDERAL, STATE, OR ANY LOCAL GOVERNMENT. TO PROTECT THEIR FREEDOMS AND PRESERVE THE CHECKS AND BALANCES OF THE UNITED STATES CONSTITUTION, THE PEOPLE OF ARIZONA ARE EMPOWERED TO REJECT ANY FEDERAL ACTION THAT THEY DETERMINE VIOLATES THE UNITED STATES CONSTITUTION. IN ADDITION TO ALL OTHER AVAILABLE LEGAL REMEDIES, THEY MAY DO SO BY 1) A MAJORITY OF VOTES CAST IN AN INITIATIVE OR REFERENDUM, OR 2) A MAJORITY VOTE OF THEIR REPRESENTATIVES IN BOTH HOUSES OF THE LEGISLATURE WITH THE SIGNATURE OF THE GOVERNOR.



**KEN BENNETT**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**

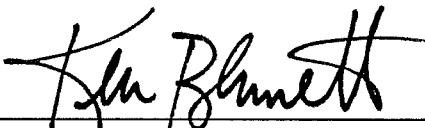


RECEIPT

The Arizona Secretary of State has completed his duties in accordance with Arizona Revised Statutes § 19.121.01(A). **Checks and Balances in Government in Support of C-04-2012** has filed a total of **24,326** petition signature sheets containing **282,588** signatures to initiative number C-042012, which are eligible for verification. This receipt does not constitute an acknowledgement or determination by the Secretary of State that any of those signature sheets are in compliance with legal requirements for placing a measure on the November 6, 2012 General Election ballot. That determination can only be made after the Secretary of State and the County Recorders have performed their duties with respect to initiative petitions as required by law.

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Dated this 2nd Day of August, 2012.

  
KEN BENNETT  
Secretary of State

# **Sheets Removed by the Secretary of State's Office During Processing of Petitions and Reasons for Removal**

<b>Reasons</b>	<b>Sheets</b>	<b>Signatures</b>
Title and text were not attached (ARS §§ 19-112(B) & 19-121.01(A)(1)(a))	0	0
Attached text incomplete, missing, or wrong initiative text (ARS § 19-112(B) & 19-121.01(A)(1)(a))	5	64
Petition Serial Number is missing or is the wrong initiative (ARS § 19-121.01(A)(1)(c))	6	63
Affidavit of Circulator is incomplete or missing (ARS § 19-121.01(A)(1)(d))	926	11,187
Notary incomplete or missing or notary expired (ARS § 19-121.01(A)(1)(e))	46	475
Paid or Volunteer circulator not marked (ARS § 19-101(C) & (D))	68	668
Signatures obtained after notarization (ARS § 19-121(A)(1)(f))	71	710
Sheets removed per 19-121.01(A)(3)(f)	4	59
Whole sheet contained signatures that would have been removed by following ARS § 19-121.01(3)	158	938
<b>TOTAL</b>	<b>1,284</b>	<b>14,164</b>



**KEN BENNETT**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**



2012 AUG 24 P 2:37

GOVERNORS OFFICE 8TH FLR

August 24, 2012

The Honorable Jan Brewer  
Office of the Governor  
1700 West Washington Street  
Phoenix, Arizona 85007

Dear Governor Brewer:

You are hereby notified, pursuant to Arizona Revised Statutes § 19-121.04(B), that the initiative measure C-04-2012, Checks and Balances in Government, has not met the signature requirements for placement on the November 6, 2012 General Election Ballot. The actual number of remaining signatures is below the minimum required by the Arizona Constitution to place a measure on the general election ballot. The number of valid signatures filed with this petition, based on the random sample, appears to be less than one hundred per cent of the minimum required or through examination of each signature has been certified to be less than the minimum required by the Arizona Constitution. Consequently, the petition for serial number C-04-2012 lacks the minimum number of signatures to place it on the general election ballot.

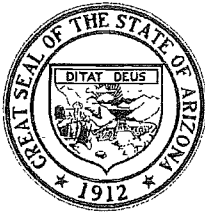
Enclosed are the final tabulation of the random sampling and a copy of the official receipt.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Bennett", with a stylized flourish at the end.

KEN BENNETT  
Secretary of State

Enclosures



**KEN BENNETT**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**



TO: Jack Biltis, Chairman  
Checks and Balances in Government  
20815 North Cave Creek Road  
Phoenix, Arizona 85024

Having completed the requirements of A.R.S. § 19-121.04, I, Ken Bennett, Secretary of State, hereby certify that:

1,284 signature pages bearing 14,164 signatures for initiative petition serial number **C-04-2012** have been refused for filing in this office because the person circulating was a county recorder or justice of the peace at the time of circulating the petition or due to defects in the circulator's affidavit. A total of 9,120 signatures included on the remaining petition sheets were found to be ineligible. Of the total random sample of 14,130 signatures, a total of 4,811 signatures were invalidated by the county recorders resulting in a failure rate of 34.05 per cent. The actual number of remaining signatures for such initiative petition number **C-04-2012** is below the minimum required by the constitution to place a measure on the general election ballot. The number of valid signatures filed with this petition, based on the random sample, appears to be less than one hundred per cent of the minimum required or through examination of each signature has been certified to be less than the minimum required by the constitution. Consequently, the petition for serial number **C-04-2012** lacks the minimum number of signatures to place it on the general election ballot.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Arizona. Done at the Capitol in Phoenix, this 24th day of August, 2012.

**KEN BENNETT**  
Secretary of State

ARIZONA  
SECRETARY OF STATE'S OFFICE  
DETERMINATION OF VALID SIGNATURES  
INITIATIVE PETITION SERIAL NUMBER C-04-2012

	Sheets	Signatures
Committee purported	30,000	320,000

*DETERMINATION OF RANDOM SAMPLE*

Secretary of State counted	24,326	305,872
Secretary of State removed per A.R.S. § 19-121.01(A)(1)	1,284	14,164
Secretary of State removed per A.R.S. §§ 19-121.01(A)(2) & (3)		<u>9,120</u>
Total number of signatures eligible for verification		282,588
5% of the total number of signatures eligible for verification per A.R.S. § 19-121.01(B)		14,130

*DETERMINATION OF INVALIDITY RATE*

County removed per A.R.S. § 19-121.02	4,811
Divided by the number of signatures submitted to the counties for verification	<u>14,130</u>
INVALIDITY RATE	34.05%

*DETERMINATION OF TOTAL VALID SIGNATURES*

Total number of signatures eligible for verification	282,588
Less number of signatures removed by County	<u>4,811</u>
Subtotal of valid signatures	277,777
Multiplied by Invalidity Rate	34.05%
Total number of invalid signatures	<u>94,583</u>
TOTAL VALID SIGNATURES	183,194

*DETERMINATION OF TOTAL PERCENTAGE OF VALID SIGNATURES*

Total Valid Signatures	183,194
Divided by minimum signature requirement	259,213
TOTAL PERCENTAGE OF VALID SIGNATURES	70.67%

(Constitutional changes: 1,728,081 total votes cast for Governor at the November 2010 General Election x 15% = 259,213)

(Statutory changes: 1,728,081 total votes cast for Governor at the November 2010 General Election x 10% = 172,809)

(Referenda: 1,728,081 total votes cast for Governor at the November 2010 General Election x 5% = 86,405)

Ariz. Const. Art. IV, Part 1, §1